



5950-01-CMB

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : DONALD MICHAEL BLACK

EXAMINER: W. H. MATTHEWS

SERIAL NO. : 09/744,140

ART UNIT : 3738

FILED : JANUARY 19, 2001

PAPER NO.:

FOR : METHOD FOR PREVENTING OR DELAYING CATHETER-BASED
REVASCULARIZATION

DECLARATION UNDER 37 C.F.R. § 1.132

December 18, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

I, Donald Michael Black, do declare and state:

1. I am the sole inventor of the subject matter described and claimed in United States Patent Application Serial No. 09/744,140 filed on January 19, 2001, titled "Method for Preventing or Delaying Catheter-Based Revascularization."

2. I co-authored a paper with McCormick, L.S., et al., Am J Cardiol, 80:1130-1133 (1997). I am the sole inventor of the subject matter that is disclosed in McCormick, et al., and disclosed and claimed in the subject application. The other named co-authors of the paper, Lisa McCormick, David Waters, M.D., W. Virgil Brown, M.D., and Bertram Pitt, M.D. were not involved in the conception or reduction to practice of the invention. Lisa McCormick was the study coordinator and under my direction. David Waters, M.D., W. Virgil Brown, M.D., and Bertram Pitt, M.D. were members of the steering committee for this study. The invention disclosed in the subject application was made before the formation of the steering committee. Steering committee members were involved in study logistics and the logistics of steering committee operations and were not involved in the conception of the study itself.

3. I declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 101, Title 18 of the United States Code and that said willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

January 10, 2003


DONALD MICHAEL BLACK

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